

LIQUOR ADVISORY BOARD
Tuesday, October 21, 2008
6:00 P.M. – City Council Chambers
Rockford City Hall, 425 East State Street

Present:

LAB Members: Alicia DiBenedetto
Aaron Magdziarz
Dan Roszkowski
Julio Salgado
Craig Sockwell
Scott Sanders

Absent:

Staff: Todd Cagnoni – Deputy Director, Community & Economic
Development, Construction & Development Services
Sandra Hawthorne – Administrative Assistant
Jon Hollander - City Engineer, Public Works
Jennifer Cacciapaglia – City Attorney, Liquor Commission
Kerry Partridge - City Attorney
Mark Marinaro - Fire Prevention Division

Others: Kathy Berg, Stenographer
Applicants and Interested Parties

The meeting started at 6:00 P.M. A **MOTION** was made by Scott Sanders to **APPROVE** the minutes of the September 16, 2008 meeting as submitted. The **MOTION** was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 6-0.

08-LAB-025

Applicant
Ward 10

5051 East State Street

James Pantazelos / d/b/a Jimmy P's
Sale of alcohol by the drink in conjunction with a restaurant / sports bar and within two (2) outdoor seating areas on the north and south sides of the building in a C-3, General Commercial Zoning District

The subject property is located 800 feet west of the East State Street and Towne Drive intersection and is the previous Ryan's Steakhouse Restaurant. Attorney Peter Kostantacos and James Pantazelos were present. Attorney Kostantacos explained the applicant's request. Although there will be live music, there will not be a cover charge, nor will this facility be a night club according to the Applicant. The Applicant has applied for a Variation in the number of parking spaces for this property, and that will be coming before the Zoning Board of Appeals on November 18th. Attorney Kostantacos explained the Applicant is concerned with Staff's requirement that signage be of a landmark type. He would like to use the existing format as the previous owner.

Attorney Cacciapaglia asked what type of entertainment would be provided on stage shown on the site plan. Mr. Pantazelos stated he would be bringing in "head liners" for live entertainment. She also asked for clarification on the large area on the site plan that did not indicate any tables or chairs and asked for verification that this area would not be 150 square feet or larger, as this would indicate a dance floor. She also wished to clarify that the Applicant will not be charging entry fees. The Applicant agreed that he would not. He further explained that the capacity in the sports bar would be approximately 100 people. Attorney Cacciapaglia asked if more than 5 security guards, as indicated in the information submitted by the Applicant, would be hired. In response, Mr. Pantazelos stated he will be adjusting the number of security guards as necessary. He also stated it is his plan to have a shuttle service consisting of two (9) passenger vans available within a 5 mile radius to pick up customers from nearby hotels and the surrounding vicinity.

Attorney Cacciapaglia requested that a condition of approval be added that the facility contain no open floor space greater than 150 square feet, such as a dance floor. Mr. Sanders wished to clarify that neither side of the facility will be operating as a night club. Both Attorney Kostantacos and the Applicant stated they would not.

Staff Recommendation was for Approval with 10 conditions. No Objectors or interested parties were present. One letter of objection was received from John Penney, 5640 Sockness Drive, not an adjacent property owner. Mr. Penney's concern was his claim that investigation of Mr. Pantazelo on the internet showed there were 12 liens and judgments against him, which was not a good reference to his business practices.

Mr. Cagnoni addressed Staff's condition 9 pertaining to a requirement of a landmark style sign. Regarding parking requirements, he explained that Staff is reviewing this and other aspects of the project through the Building review process. He clarified that the proposal before the Liquor Advisory Board is for a liquor license. The restaurant building site review is not a part of the request for liquor sales. Staff is working with the applicant on the site plan regarding other zoning requirements. There is a variation application submitted for November's agenda. Mr. Cagnoni emphasized that Staff will not authorize the second restaurant located in the building until parking requirements have been met.

A **MOTION** was made by Scott Sanders to **APPROVE** the sale of alcohol by the drink in conjunction with a restaurant / sports bar and within two (2) outdoor seating areas on the north and south sides of the building in the name of James Pantazelos / d/b/a/ Jimmy P's, in a C-3, General Commercial Zoning District at 5051 East State Street with the two added conditions as discussed. The Motion was **SECONDED** by Aaron Magdziarz and **CARRIED** by a vote of 7-0.

Approval is subject to the following conditions:

1. Meet all applicable Building and Fire Codes
2. Compliance with all City of Rockford Liquor Codes
3. The hours of operation will be limited to 11:00 AM to 10:00 PM Sunday through Thursday for the Restaurant
4. The hours of operation will be limited to 11:00 AM to 11:00 PM Friday and Saturday for the Restaurant
5. The hours of operation will be limited to 11:00 AM to 12:00 AM Sunday through Thursday for the Sports Bar.
6. The hours of operation will be limited to 11:00 AM to 1:00 AM Friday and Saturday for the Sports Bar.
7. The sale of alcohol shall be limited to the interior site plan and outdoor seating areas that were submitted.
8. The outdoor seating areas must be enclosed by a fence of at least five (5) feet in height and approved by Staff.
9. That the freestanding sign shall be a landmark style sign in accordance with the Sign Ordinance replacing the existing freestanding sign.
10. That the property shall not operate as a banquet facility or nightclub and shall not have a cover charge or dance floor.
11. That there shall not be a concentrated or open floor space greater than 150 square feet.
12. That authorized live entertainment shall be restricted to Friday and Saturday nights only.

08-LAB-026

Applicant
Ward 3

1434-1436 North Main Street

Tyler and Angela Voorhees d/b/a/ Rockford Billiard Café
Sale of liquor by the drink in conjunction with a Billiard
Hall, Bar and Grill establishment in a C-2, Limited
Commercial District

The subject property is located south of the Auburn Street and North Main Street intersection. Angela & Tyler Voorhees, Applicants, were present. Mr. Voorhees reviewed his application. He explained that he and his wife purchased Rockford Billiard Café about 4 years ago. They provide billiard classes and a billiard establishment with a family atmosphere in a clean and friendly environment. He further stated that they estimate their customer radius to be about 30 miles surrounding the Rockford

area. It is their goal to attract more of the local community by expanding to the adjacent bar, which is part of the building. There is a door separating the two establishments and they would open this to combine both areas. Mr. Voorhees stated that most of the surrounding businesses close around 7:00 or 8:00 PM in the evening.

Attorney Cacciapaglia verified that their floor plan does not depict 150 square feet of floor space, and Mr. Voorhees stated it did not. She wished to add a condition of approval that there shall be no open area larger than 150 square feet. Jen wished to add condition of no area larger than 150 feet. Condition 5 limited the band members to 3 and Alicia wished to strike this condition in the event there were 4 members. Mr. Cagnoni explained that this condition was based on what the Applicant listed in their application, but added Staff was agreeable to removing this condition.

Staff Recommendation was for Approval with 5 conditions. No Objectors or interested parties were present.

A **MOTION** was made by Alicia DiBenedetto to **APPROVE** the sale of liquor by the drink in conjunction with a Billiard Hall, Bar and Grill establishment in the names of Tyler and Angela Voorhees d/b/a/ Rockford Billiard Café in a C-2, Limited Commercial District at 1434-1436 North Main Street with added condition 6. The Motion was **SECONDED** by Julio Salgado and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

1. Compliance with the Liquor Ordinance.
2. Hours of operation are limited to Monday through Friday 2:00 PM to 2:00 AM; Saturday noon to 12:00 AM and Sunday noon to 12:00 AM.
3. That the property shall not operate as a night club and shall not charge a cover charge.
4. That food sales shall be available while the establishment is open.
5. That there shall not be a concentrated or open floor space greater than 150 square feet

08-LAB-027

Applicant
Ward 3

1405-1407 North Main Street

Alice Rene Jones d/b/a/ Thirty Something Sports Bar and Grill
Sale of liquor by the drink in conjunction with a Sport's
Bar and Grill in a C-2, Limited Commercial District

Prior to the meeting, a request was received to Lay Over this item to the November 18th Zoning Board of Appeals meeting.

A **MOTION** was made by Aaron Magdziarz to **LAY OVER** the sale of liquor by the drink in conjunction with a Sport's Bar and Grill in the name of Alice Rene Jones d/b/a/ Thirty Something Sports Bar and Grill, in a C-2, Limited Commercial District at 1405-1407 North Main Street. The Motion was **SECONDED** by Scott Sanders and **CARRIED** by a vote of 6-0.

With no further business to come before the Board, the meeting was adjourned at 6:37 PM

Respectfully submitted,
Sandra A. Hawthorne, Administrative Assistant
Liquor Advisory Board